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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed
as a separate compilation.

MINISTRY OF LAW
(Legislative Department)

NOTIFICATION

New Delhi, the 24th November 1965

G.S.R. 1757.—The following Order made by the President is published for general information—

C.O. 74

THE CONSTITUTION (APPLICATION TO JAMMU AND KASHMIR)
SECOND AMENDMENT ORDER, 1965

In exercise of the powers conferred by clause (1) of article 370 of the Constitution, the President, with the concurrence of the Government of the State of Jammu and Kashmir, is pleased to make the following Order:—

1. (1) This Order may be called the Constitution (Application to Jammu and Kashmir) Second Amendment Order, 1965.

(2) It shall come into force at once.

2. In paragraph 2 of the Constitution (Application to Jammu and Kashmir) Order, 1954,—

- (1) in the opening portion, for the words, figures and letters "as in force on the 15th day of February, 1958", the words, figures and letters "as in force on the 20th day of June, 1964" shall be substituted;
- (2) in sub-paragraph (5A) (relating to Part VI), for clause (c), the following clause shall be substituted, namely:—
'(c) in article 222, after clause (1), the following new clause shall be inserted, namely:—

"(1A) Every such transfer from the High Court of Jammu and Kashmir or to that High Court shall be made after consultation with the Governor.";

- (3) in sub-paragraph (14) (relating to Part XIX),—

- (a) clause (a) shall be omitted;
- (b) clauses (b) and (c) shall be re-lettered as clauses (a) and (b) respectively;
- (c) in clause (b) as so re-lettered, in clause (4) of article 367,—
(i) for sub-clause (b), the following sub-clauses shall be substituted, namely:—

"(aa) references to the person for the time being recognised by the President on the recommendation of the Legislative Assembly of the State as the Sadar-i-Riyasat of Jammu and Kashmir, acting on the advice of the Council of Ministers of the State for the time being in office, shall be construed as references to the Governor of Jammu and Kashmir;

- (b) references to the Government of the said State shall be construed as including references to the Governor of Jammu and Kashmir acting on the advice of his Council of Ministers:

Provided that in respect of any period prior to the 10th day of April, 1965, such references shall be construed as including references to the Sadar-i-Riyasat acting on the advice of his Council of Ministers;"

- (ii) for sub-clause (e), the following sub-clause shall be substituted, namely:—

"(e) references to a Governor shall include references to the Governor of Jammu and Kashmir:

Provided that in respect of any period prior to the 10th day of April, 1965, such references shall be construed as references to the person recognised by the President as the Sadar-i-Riyasat of Jammu and Kashmir and as including references to any person recognised by the President as being competent to exercise the powers of the Sadar-i-Riyasat.";

- (4) in sub-paragraph (16) (relating to Part XXI), in clause (a), after the figures "371", the figures and letter "371A," shall be inserted;

- (5) in sub-paragraph (22) (relating to the Seventh Schedule),—

- (i) in clause (a),—
(a) in item (ii), the word "and" shall be added at the end;
(b) item (iii) shall be omitted;
(c) item (iv) shall be re-numbered as item (iii);

- (ii) in clause (c),—

- (a) items (ii) and (iii) shall be omitted;
- (b) items (iv), (v) and (vi) shall be re-numbered as items (ii), (iii) and (iv) respectively;
- (c) in item (iii) as so re-numbered,—

(A) for the words, figures and brackets "entries 12 to 23 (both inclusive)", the words, figures and brackets "entries 12 to 21 (both inclusive)" shall be substituted;

- (B) the figures "26," shall be omitted;

(6) for sub-paragraph (24) (relating to the Ninth Schedule), the following sub-paragraph shall be substituted, namely:—

‘(24) NINTH SCHEDULE

After entry 64, the following entries shall be added, namely:—

- “65. The Jammu and Kashmir State Kuth Act (No. I of Svt. 1978).
- 66. The Jammu and Kashmir Tenancy Act (No. II of Svt. 1980).
- 67. The Jammu and Kashmir Alienation of Land Act (No. V of Svt. 1993).
- 68. The Jammu and Kashmir Restitution of Mortgaged Properties Act (No. XVI of Svt. 2006).
- 69. The Jammu and Kashmir Distressed Debtors Relief Act (No. XVII of Svt. 2006).
- 70. The Jammu and Kashmir Big Landed Estates Abolition Act (No. XVII of Svt. 2007).
- 71. Order No. 6-H of 1951, dated 10th March, 1951, regarding Resumption of Jagirs and other assignments of land revenue, etc.”.

S. RADHAKRISHNAN,
President.

[No. F. 19(4)/65-LI.]

R. C. S. SARKAR, Secy.

